

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

_____)	
MICHAEL A. JOSEY,)	
)	
Plaintiff,)	
)	
v.)	1:20-cv-11956-PBS
)	
COMMONWEALTH OF MASSACHUSETTS,)	
)	
Defendant.)	
_____)	

AFFIDAVIT OF ERIC A. MARTIGNETTI

I, Eric A. Martignetti, hereby depose and state as follows:

1. I am an Assistant Attorney General and counsel for Defendant Commonwealth of Massachusetts (“Commonwealth”) in this matter.
2. Attached hereto as Exhibit A is a true and accurate copy of Plaintiff’s Complaint filed in *Josey v. Commonwealth*, Suffolk Superior Court, Civil Action No. 2084CV00388 (“2020 State Court Action”).
3. Attached hereto as Exhibit B is a true and accurate copy of Plaintiff’s Motion to Amend Complaint filed in *Josey v. Commonwealth*, Suffolk Superior Court, Civil Action No. 1084CV00977.
4. Attached hereto as Exhibit C is a true and accurate copy of the Court’s margin order allowing the Commonwealth’s Motion to Dismiss in the 2020 State Court Action.
5. Attached hereto as Exhibit D is a true and accurate copy of the Court’s Judgment on Motion to Dismiss in the 2020 State Court Action.

Signed under the penalties of perjury on February 3, 2021.

/s/ Eric A. Martignetti

Eric A. Martignetti

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing (NEF) and copies were sent by first-class mail to those indicated as non-registered participants on February 3, 2021.

/s/ Eric A. Martignetti

Eric A. Martignetti